

REMARKS

The specification is amended herein. Specifically, the first full paragraph at page 37 of the specification is amended to recite that the linking group of R² is preferably a group containing 5 to 10 carbon atoms, having a chain structure containing an ester linkage or the cyclic structure described above. Support for the amendment is partially based on the paragraph [0080] of the Japanese priority document, JP 2003-44090, which is incorporated by reference as stated on the first page of the originally filed specification¹. A certified translation of paragraph [0080] of JP 2003-44090 is submitted herewith. Support for the amendment is also found in the paragraph bridging pages 35-36 and the formula at pages 42-54.

No new matter is presented.

I. Response to Claim Rejections under 35 U.S.C. § 103

In paragraph 5 of the Office Action, claims 1, 10, 13-14, 16-18 and 20-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Aoshima et al (EP 1 235 107) in view of Iwamoto et al (U.S. Patent No. 5, 866,298).

In paragraph 6 of the Office Action, claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Aoshima et al (EP 1 235 107) in view of Iwamoto et al (U.S. Patent No. 5,866,298) as applied to claim 1 above and in further view of Oshima et al (EP 1 176 467).

In paragraph 7 of the Office Action, claim 19 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Aoshima et al (EP 1 235 107) in view of Iwamoto et al (U.S. Patent No.

¹ See MPEP §2163.07(II) which indicates that an Applicant may rely on a foreign priority document to correct an error in the U.S. application, where the foreign priority document is explicitly incorporated by reference.

5,866,298) as applied to claim 10 above and in further view of Kunita (U.S. Patent No. 6,476,092).

Without conceding the merits of the rejections, claim 1 is amended herein by incorporating the subject matter of claim 15 and further to recite that the linking group is a chain structure which does not include an alicyclic structure. The cited references, whether taken alone or in combination, do not teach or suggest the presently claimed invention. Specifically, the cited references do not teach or suggest the binder polymer as recited in the presently amended claims. Accordingly, the present invention is patentable over the cited references.

Accordingly, Applicants respectfully request withdrawal of the rejection.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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